

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO. 79-2020

CODE REVIEW & TOWN PROPERTY COMMITTEE

MARCH 10, 2020

RESOLUTION OF THE TOWN OF WESTFIELD, COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE TOWN OF WESTFIELD TO UNDERTAKE A PRELIMINARY INVESTIGATION OF THE PROPERTY KNOWN AS BLOCK 3107, LOT 1 TO DETERMINE WHETHER THE PROPERTY QUALIFIES AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”) provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential and civic facilities; and

WHEREAS, the Redevelopment Law empowers the Town of Westfield (the “**Town**”), by and through its Mayor and Council (the “**Governing Body**”), to direct the Town’s Planning Board to conduct a preliminary investigation into certain real property to determine whether such property qualifies as an area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, the Governing Body desires to authorize and direct the Planning Board of the Town (the “**Planning Board**”) to undertake a preliminary investigation to determine whether certain real property, specifically Block 3107, Lot 1, located at 244-254 East Broad Street (the “**Study Area**”) qualifies as a non-condemnation area in need of redevelopment pursuant to and in accordance with the Redevelopment Law; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield, County of Union, and State of New Jersey, as follows:

1. The Planning Board is hereby authorized and directed to undertake a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* to determine if the Study Area qualifies as a non-condemnation area in need of redevelopment pursuant to and in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5* (the “**Investigation**”).

2. As part of the Investigation, the Planning Board shall prepare a map covering the Study Area and showing the boundaries of the proposed non-condemnation redevelopment area and the location of the parcel contained therein and attaching to the map a statement setting forth the basis for the investigation.

3. The Planning Board shall conduct a public hearing, after giving due notice of the boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area be designated as a non-condemnation area in need of redevelopment (the "**Public Hearing**"). The Public Hearing shall be conducted in accordance with the provisions set forth at *N.J.S.A. 40A:12A-6*.

4. At the conclusion of the Public Hearing, the Planning Board shall make a recommendation to the Mayor and Council in the form of a resolution with supporting documentation as to whether the Mayor and Council should or should not designate the Study Area as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law.

5. Any designation made by the Mayor and Council with respect to the Study Area as an area in need of redevelopment shall authorize the Town to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, other than the use of eminent domain.

6. All Town officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

7. This Resolution shall take effect immediately.

I hereby certify that the within Resolution is a true and exact copy of the Resolution adopted by the Westfield Town Council at their meeting of March 10, 2020.


Tara Rowley, RMC
Town Clerk